

**REMARKS**

This is in full and timely response to the Office Action mailed on July 14, 2008.  
Reexamination in light of the following remarks is respectfully requested.

Claims 9-36 are currently pending in this application, with claims 9, 16, 20, 23 and 32 being independent.

*No new matter has been added.*

Reexamination in light of the following remarks is respectfully requested.

**Rejection under 35 U.S.C. §103**

Paragraph 3 indicates a rejection of claims 9-36 under 35 U.S.C. §103 as allegedly being unpatentable over the Description of the Related Art (AAPA) and U.S. Patent No. 5,680,596 (Iizuka).

This rejection is traversed at least for the following reasons.

**Claims 9-36** - The claims include:

a computer (2)	a timing notice apparatus (4)
a computer interface unit (26)	a controller (11)
an acquisition command (C1)	a timing generation unit (12)
a timing notice signal (S2, S3)	a reference signal (S1)

Figure 2 of the specification as originally filed is provided hereinbelow.

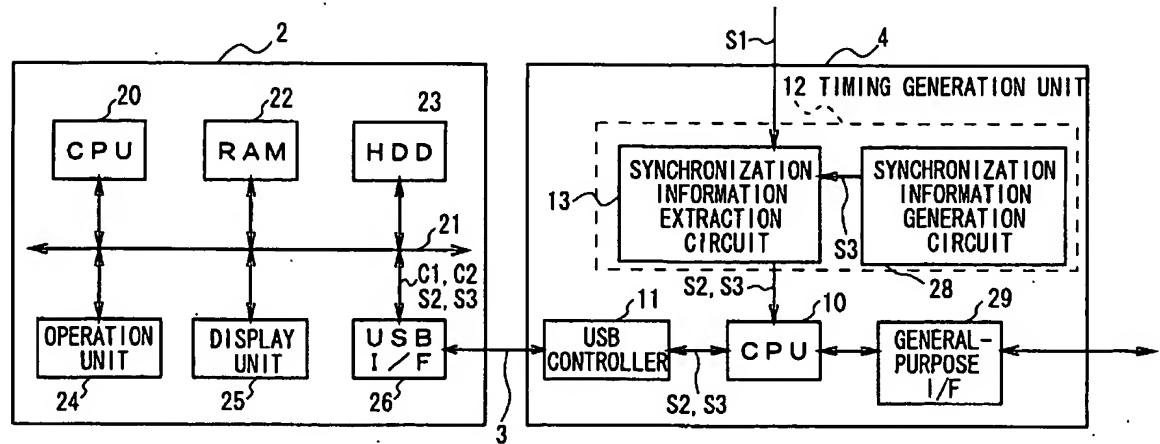


FIG. 2

**AAPA** - The Description of the Related Art (AAPA) may be found within the specification as originally filed at page 1, line 8, through page 2, line 6.

In particular, the specification as originally filed beginning at page 1, line 8 provides that:

In the conventional editing system, in some cases, a *personal computer* is provided with a *reference signal* in which *frame synchronization information* is sequentially stored under timing indicative of temporal beginning of a temporally consecutive frame corresponding to a frame frequency of image data to be edited (referred to as frame timing, hereinafter) so as to edit the image data to be edited in synchronization with the frame timing generated by *extracting* the *frame synchronization information* from the *reference signal*.

However, page 3 of the Office Action readily admits that AAPA fails to teach:

- a computer having a computer interface unit, said computer interface unit being adapted to transmit an acquisition command and to receive a timing notice signal;
- said controller being adapted to receive said acquisition command and to transmit said timing notice signal,
- said timing notice apparatus transmits said timing notice signal upon receipt of said acquisition command, said timing notice signal being transmitted according to a predetermined timing of image data.

Iizuka - The Office Action contends that Iizuka discloses the presence of a computer having a computer interface unit (18) adapted to transmit an acquisition command (tuning data request command) and to receive a timing notice signal (tuning data signals) (Office Action at page 3).

The Office Action further contends that Iizuka discloses the presence of a timing notice apparatus (2) (Office Action at page 3).

In response to these contentions, *the timing notice signal* within the claims of the present invention is *frame synchronization information that has been extracted from a reference signal*.

However, the Office Action fails to show where within Iizuka there is to be found a reference signal.

Additionally, the Office Action fails to show where within Iizuka there is to be found that the alleged timing notice apparatus (2) is adapted to extract frame synchronization information from a reference signal.

Furthermore, the Office Action fails to show that the alleged tuning data signals are frame synchronization information that has been extracted from the reference signal.

As a result, the Office Action fails to show the presence of a timing notice signal within Iizuka.

In the absence of timing notice signal, Iizuka also fails to disclose, teach, or suggest:

- a computer having a computer interface unit, said computer interface unit being adapted to transmit an acquisition command and to receive a timing notice signal;
- said controller being adapted to receive said acquisition command and to transmit said timing notice signal,
- said timing notice apparatus transmits said timing notice signal upon receipt of said acquisition command, said timing notice signal being transmitted according to a predetermined timing of image data.

**Combination of AAPA and Iizuka** - Regarding, AAPA, the specification as originally filed beginning at page 1, line 8 provides that in the conventional editing system, in some cases, a personal computer is provided with a reference signal in which frame synchronization information is sequentially stored under timing indicative of temporal beginning of a temporally consecutive frame corresponding to a frame frequency of image data to be edited (referred to as frame timing, hereinafter) so as to edit the image data to be edited in synchronization with the frame timing generated by extracting the frame synchronization information from the reference signal.

While Iizuka arguably teaches the presence of a computer 1 and a printer 2 (Iizuka at Figure 2, column 3, line 3), Iizuka fails to disclose, teach, or suggest the printer 2 as extracting the frame synchronization information from the reference signal.

Thus, the Office Action *fails* to show why the skilled artisan would have been motivated to combine AAPA with Iizuka.

But even if the skilled artisan would have been motivated to combine AAPA with Iizuka, the combination of AAPA and Iizuka fails to show all features of the claimed invention.

AAPA and Iizuka, either individually or as a whole, fail to disclose, teach, or suggest all features of the claims found within the present application.

Withdrawal of this rejection and allowance of the claims is respectfully requested.

### **Official Notice**

There is no concession as to the veracity of Official Notice, if taken in any Office Action.

An affidavit or document should be provided in support of any Official Notice taken. 37 CFR 1.104(d)(2), MPEP § 2144.03. See also, *Ex parte Natale*, 11 USPQ2d 1222, 1227-1228 (Bd. Pat. App. & Int. 1989)(failure to provide any objective evidence to support the challenged use of Official Notice constitutes clear and reversible error).

### **Extensions of time**

Please treat any concurrent or future reply, requiring a petition for an extension of time under 37 C.F.R. §1.136, as incorporating a petition for extension of time for the appropriate length of time.

### **Fees**

The Commissioner is hereby authorized to charge any deficiency in fees filed, asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm).

The Commissioner is hereby authorized to charge all required fees, fees under 37 C.F.R. §1.17, or all required extension of time fees.

If any fee is required or any overpayment made, the Commissioner is hereby authorized to charge the fee or credit the overpayment to Deposit Account # 18-0013.

### **Conclusion**

This response is believed to be a complete response to the Office Action.

Applicants reserve the right to set forth further arguments supporting the patentability of their claims, including the separate patentability of the dependent claims not explicitly addressed herein, in future papers.

For the foregoing reasons, all the claims now pending in the present application are allowable, and the present application is in condition for allowance.

Accordingly, favorable reexamination and reconsideration of the application in light of the remarks is courteously solicited.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone Brian K. Dutton, Reg. No. 47,255, at 202-955-8753.

Dated: November 14, 2008

Respectfully submitted,

By 

Ronald P. Kananen

Registration No.: 24,104

Brian K. Dutton

Registration No.: 47,255

RADER, FISHMAN & GRAUER PLLC

Correspondence Customer Number: 23353

Attorneys for Applicant